

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

IBA et al.

Appln. No. 09/800,520

Filed: March 8, 2001

Atty. Ref.: 423-59

Group Art Unit: 1636

Examiner: G.G. Leffers, Jr.

#15
BP
6-5-03



FOR: EXPRESSION VECTOR CONTAINING A DRUG-RESISTANCE GENE HAVING A DESTABILIZING SEQUENCE AS SELECTION MARKER

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(d)

May 29, 2003

Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to the Information Disclosure Statement (IDS) of November 25, 2002, attached is a Form PTO-1449 listing the enclosed documents. A copy of the European Search Report for the related application EP 97947924.3 is also enclosed.

Each document was cited in the Search Report dated April 1, 2003, which was issued not more than three months prior to the filing of this IDS. Also enclosed is the Rule 17(p) fee.

This IDS is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under 37 CFR § 1.97(f), to enable Applicants to comply fully. In particular, if any of the listed documents are missing or incomplete, please contact the undersigned who will provide another copy.

As provided by 37 CFR §§ 1.97(g) and (h), no inference should be made that this information and the listed references are prior art merely because they have been submitted for consideration. Furthermore, no representation is being made that a search has been conducted or that this statement encompasses all possible material information.

Consideration of the foregoing and enclosures, as well as the return of a copy of the Form PTO-1449 with the Examiner's initials per MPEP § 609, are earnestly solicited. The Examiner is invited to contact the undersigned if further information is needed.

Respectfully submitted,

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